

**Location**                      **8 Alberon Gardens London NW11 0AG**

**Reference:**                      **15/06652/HSE**                      Received: 30th October 2015  
Accepted: 18th November 2015

Ward:                              Golders Green                      Expiry 13th January 2016

Applicant:                      Mr S kaufman

Proposal:                      Single storey rear extension. First floor side extension with pitched roof. Rear and side dormer with 2 no. rooflights to rear and 3 no. rooflights to front to facilitate loft conversion. Conversion of garage into habitable space (AMENDED DESCRIPTION)

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, 8/10A and 8/100B.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2     This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3     The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4     The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 Before the building hereby permitted is first occupied the proposed first floor window and side dormer window in the side elevation facing No.10 Alberon Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation facing No. 10 Alberon Gardens.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

#### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

## Officer's Assessment

### 1. Site Description

The site property is a two storey semi-detached dwellinghouse on Alberon Gardens. The property is not listed and does not lie within a Conservation Area.

### 2. Site History

Reference: 15/03523/PNH

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Prior Approval Required and Refused

Decision Date: 13 July 2015

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 15/03594/192

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Unlawful

Decision Date: 10 August 2015

Description: Single storey ground floor extension. Part first floor rear extension. Roof extension involving hip to gable and rear dormer window to facilitate a loft conversion. Installation of 2no rooflights. Change of garage to habitable room

Reference: 15/03669/HSE

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Approved subject to conditions

Decision Date: 12 August 2015

Description: First floor front extension. Roof extension involving rear dormer window to facilitate a loft conversion.

Reference: 15/05407/192

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Unlawful

Decision Date: 21 September 2015

Description: Single storey ground floor extension. Part first floor rear extension. Roof extension involving hip to gable and rear dormer window to facilitate a loft conversion. Installation of 2no rooflights. Change of garage to habitable room

Reference: 15/06653/192

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Lawful

Decision Date: 15 December 2015

Description: Two storey rear extension

Reference: 15/06654/192

Address: 8 Alberon Gardens, London, NW11 0AG

Decision: Lawful

Decision Date: 17 December 2015

Description: Single storey rear extension. Roof extension including rear dormer window to facilitate loft conversion

### 3. Proposal

The application seeks permission for single storey rear extension. First floor side extension with pitched roof. Rear and side dormer with 2 no. rooflights to rear and 3 no. rooflights to front to facilitate loft conversion. Conversion of garage into habitable space.

Plans originally proposed a basement extension. Amended plans have been received which have removed the basement.

The property benefits from an existing part first floor side projection to the rear of the property. The proposed first floor extension would infill the area at the front and sit on the existing garage. It would include a pitched roof set below the main roof ridge. The proposal also includes a single storey rear extension 3.5 metres deep, 10.3 metres wide and 3 metres high with a flat roof.

Finally, two dormer windows with rooflights on the rear and front roof slope are proposed. The proposed rear dormer window would be 4.2 metres wide, 1.8 metres high and 2.1 metres deep. The proposed side dormer window would be 2.7 metres wide, 2.1 metres high and 1.9 metres deep.

### 4. Public Consultation

Consultation letters were sent to 31 neighbouring properties.

27 responses have been received comprising 27 letters of objection.

Neighbours Wishing To Speak 3

- Overdevelopment of the site
- Harm the character of the area
- Overbearing
- Loss of light

### 5. Planning Considerations

#### 5.1 Policy Context

##### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

## The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

## Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

## Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## 5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## 5.3 Assessment of proposals

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. The Council's guidance advises that extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

Para 14.13 of the SPD states that where there is a consistent and coherent architectural character, the extension should not detract from it. Any extension should sit comfortably with the main building and with neighbouring houses.

Barnet's Residential Design Guidance states that in order to reduce the visual impact of two storey or first floor side extensions, there should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level.

Para 14.33 of the SPD states that dormer roof extensions should be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope.

A previous scheme (15/03669/HSE) including a similar first floor front/side extension and roof extension involving a rear dormer window to facilitate a loft conversion was approved on 12/08/2015. The main change with this present application is the erection of a single storey extension and side dormer window.

#### Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Barnet Residential Design Guidance SPD states that an appropriate depth for a single storey rear extension to a semi-detached dwellinghouse is 3.5 metres. The proposed extension would be 3.5 metres and complies with the Council guidance.

First floor side extensions appear a common feature in the street. Both neighbouring properties at No. 4 and 6 Alberon Gardens have similar two storey side extensions, neither of which are set back from the main house at first floor level. A gap of approximately 1.5 metres would be kept between the host property and No.10 Alberon Gardens which reflects the average gaps between properties in this part of the street.

The proposed roof would be of similar appearance as the existing pitched roof and it would be set 0.5 metre below the main roof ridge.

Barnet's Residential Design Guidance states that rear dormers should be no more than half the width and half the height of the main roofslope. The proposed rear and side dormers would comply with these criteria and remain subordinate to the existing house.

The proposed garage conversion involves replacing the existing garage doors with windows and associated fenestration. The dimensions of the garage are proposed to remain unchanged. The property benefits from an existing driveway in the front of the house and the availability of off-street parking would mitigate any harmful impacts.

The proposals are considered an acceptable addition to the host property and would not be harmful to the character and appearance of the area or wider locality.

#### Whether harm would be caused to the living conditions of neighbouring residents

It is noted that the properties of this part of street are located on a slope with a large difference of level between the houses and the back gardens and neither No.6 nor N.10 benefits from addition to the rear. However, the size and bulk of the extension is not considered to have a harmful impact on the amenities of the neighbouring occupiers at No.6 and N.10 with regards to loss of outlook, loss of light or the overshadowing of gardens.

Regarding the first floor extension, No.10 benefits from a window at first floor level facing the host property but it is not a habitable room. The amenities of this occupier (in terms of the extension appearing overbearing or reducing light) are unlikely to be affected. To reduce possibility of overlooking or a loss of privacy, condition could be attached requiring the proposed windows at first floor level and within the side dormer facing no. 10 to be obscure glazed and permanently fixed shut.

The size and bulk of the proposals are considered acceptable and would not adversely impact the visual and residential amenities of the neighbouring occupiers at No.6 or No.10 Alberon Gardens.

#### 5.4 Response to Public Consultation

The objections raised by objectors are noted. In regards to the proposal resulting in an overdevelopment of the site, the amended proposal makes the resultant development policy compliant and in line with the requirements of the adopted Residential Design Guidance. Each application is judged based on its own merits.

The proposed development is not considered to be out of character. Other properties have undertaken extension works. Besides, the scheme is considered to meet the stipulations of the Design Guidance and cause no harm to the amenities of neighbouring occupiers.

The proposed extensions are considered to be an acceptable addition to the host property. As such, it is not considered that it will have a detrimental impact on the residential amenities of the neighbouring occupiers with regards to loss of light, loss of privacy or overbearing.

As mentioned above, a condition would be attached requiring the proposed windows at first floor level and within the side dormer facing No.10 to be obscure glazed and permanently fixed shut.

#### 6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

#### 7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

